

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

TAWNA ALLEMAN,

Plaintiff,

vs.

**CARRABBA’S ITALIAN GRILL,
LLC, (FLORIDA)**

Defendant.

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§

CIVIL ACTION

FILE NO.

**NOTICE OF REMOVAL TO
THE UNITED STATES DISTRICT COURT**

COMES NOW, CARRABBA’S ITALIAN GRILL, LLC, (FLORIDA), Defendant in the above-styled action, and hereby files this Notice of Removal pursuant to Fed. R. Civ. P. 81(c) and 28 U.S.C. §§ 1331, 1441 and 1446, respectfully showing this Court that there is complete diversity of citizenship between the plaintiff and defendant, and the matter in controversy, exclusive of interests and costs, exceeds the sum of \$75,000.00.

FACTUAL AND PROCEDURAL BACKGROUND

1.

Plaintiff TAWNA ALLEMAN has filed a civil action against CARRABBA’S ITALIAN GRILL, LLC, (FLORIDA) in the State Court of Chatham County,

Georgia, Case No. STCV20-02362. The State Court of Chatham County, Georgia is located within the Savannah Division of the United States District Court for the Southern District of Georgia.

2.

Pursuant to 28 U.S.C. § 1446(d) Defendant is promptly giving written notice of the filing of this Notice of Removal to Plaintiff by mailing a copy of this Notice of Removal to Plaintiff's Counsel. (See Certificate of Service attached hereto). Pursuant to 28 U.S.C. § 1446(a), Defendant attaches, as Exhibit "A" to this original pleading only, the entire record in the State Court of Chatham County action. (See Exhibit "A"). Defendant has filed a written notice with the Clerk of the State Court of Chatham County, Georgia, a copy of which is attached hereto as Exhibit "B." (See Exhibit "B").

3.

Plaintiff, through counsel, filed her Complaint and Demand for Trial by Jury (Plaintiff's "Complaint") in the State Court for Chatham County on December 16, 2020, alleging that she "suffered serious personal injuries" after slipping on "a liquid substance near the bar area" of Defendant's premises. Plaintiff alleges that as a result of the subject incident, she has "suffered damages including, but not limited to, past medical expenses, future medical expenses, and past, present, and future mental and

physical pain and suffering, and lost wages. However, Plaintiff did not specify the amount sought in her Complaint.

4.

Plaintiff served the corporate defendant with a copy of the summons and complaint on or about January 19, 2021.

5.

On February 23, 2021, Plaintiff filed an Offer of Settlement Pursuant to O.C.G.A. §9-11-68 for \$1,000,000.00. (See Exhibit “C”). This was Defendant’s first notice that Plaintiff intended to seek damages in excess of Seventy-Five Thousand Dollars (\$75,000.00).

6.

Accordingly, this Notice of Removal is timely filed within thirty (30) days from when this case first became removable.

BASIS FOR REMOVAL

7.

Defendant incorporates by reference as if fully set forth herein the preceding paragraphs 1 through 6 of Defendants’ Notice of Removal.

8.

As set forth in the Complaint, Plaintiff TAWNA ALLEMAN is and was at all relevant times a resident, citizen, and domiciliary of the State of Georgia.

9.

Defendant CARRABBA’S ITALIAN GRILL, LLC, (FLORIDA) is now, was at the time of commencement of this lawsuit, and at all times since, a corporation organized and existing under the laws of the State of Florida, having its principal place of business in Florida. As such, CARRABBA’S ITALIAN GRILL, LLC, (FLORIDA) is not a resident, citizen, and domiciliary of the State of Georgia for purposes of federal “diversity of citizenship.”

10.

In determining whether the requisite \$75,000.00 amount in controversy has been established, jurisdiction “is proper if it is facially apparent from the complaint that the amount in controversy exceeds the jurisdictional requirement.” *Williams v. Best Buy Co., Inc.*, 269 F.3d 1319 (11th Cir. 2001). “If the jurisdictional amount is not facially apparent from the complaint, the court ... may require evidence relevant to the amount in controversy.” *Id.*

11.

As set forth in Plaintiff’s February 23, 2021 Offer of Settlement Pursuant to O.C.G.A. §9-11-68, Plaintiff is seeking damages in excess of \$75,000.00, exclusive of interest and costs. (See Exhibit “C”).

12.

Complete diversity of citizenship existed between Plaintiff and Defendant at the time Plaintiff commenced the state court action and there remains complete diversity of citizenship between Plaintiff and Defendant.

CONCLUSION

13.

Defendants incorporate by reference as if fully set forth herein the preceding paragraphs 1 through 12 of Defendants' Notice of Removal.

14.

This is a civil action over which this Court has original federal jurisdiction and is one which may be removed to this Court pursuant to 28 U.S.C. § 1332, 1441 and 1446 because there is complete diversity of citizenship between the parties and the amount in controversy allegedly would exceed the jurisdictional requirement of \$75,000.00.

15.

Venue is proper for removal to this district pursuant to 28 U.S.C. § 1441(a) because this district and division embrace the place in which the removed action had been pending.

16.

Defendant will promptly file this Notice of Removal with the Clerk of the State Court of Chatham County, Georgia as required by 28 U.S.C. § 1446(d).

17.

Defendant will promptly serve this Notice of Removal on counsel of record for Plaintiff via Federal Express, Tracking No. **773125491555**.

18.

Defendant reserves the right to amend or supplement this Notice of Removal in accordance with the Federal Rules of Civil Procedure and other applicable law.

19.

Defendant reserves all defenses to the underlying action.

20.

The undersigned has read this Notice of Removal, and to the best of the undersigned's knowledge, information and belief, formed after reasonable inquiry, it is well-grounded in fact and is warranted by existing law, and it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

WHEREFORE, Defendant CARRABBA'S ITALIAN GRILL, LLC, (FLORIDA), requests that this action now pending in the State Court of Chatham

County, Georgia be removed to the United States District Court for the Southern District of Georgia, Savannah Division.

This 10th day of March, 2021.

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**

CRAIG P. TERRETT

Georgia Bar No. 702410

JAMES R. REEVES

Georgia Bar No. 455711 (to petition *pro hac vice*)

Counsel for Defendant

Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
cterrett@cmlawfirm.com
jreeves@cmlawfirm.com

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

TAWNA ALLEMAN,

Plaintiff,

vs.

**CARRABBA'S ITALIAN GRILL,
LLC, (FLORIDA)**

Defendant.

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CIVIL ACTION

FILE NO.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day filed the within and foregoing
NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT COURT
with the Clerk of Court using the CM/ECF system, which will serve electronic
copies of same upon all counsel of record, as follows:

WILLIAM J. DEGENHART, ESQ.
MORGAN & MORGAN
25 Bull Street, Ste. 400
Savannah, GA 31401
wdegenhart@forthepeople.com
Counsel for Plaintiff

This 10th day of March, 2021.

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**

Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
cterrett@cmlawfirm.com
jreeves@cmlawfirm.com

CRAIG P. TERRETT
Georgia Bar No. 702410
JAMES R. REEVES
Georgia Bar No. 455711 (to petition *pro hac vice*)
Counsel for Defendant

General Civil and Domestic Relations Case Filing Information Form

☐ Superior or ☒ State Court of CHATHAM County

For Clerk Use Only

Date Filed 12/16/2020
MM-DD-YYYY

Case Number STCV20-02362

Plaintiff(s)

ALLEMAN, TAWNA

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Plaintiff's Attorney WILLIAM J. DEGENHART

Defendant(s)

CARRABBA'S ITALIAN GRILL, LLC (FLORIDA)

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Bar Number 384018 Self-Represented ☐

Check One Case Type in One Box

General Civil Cases

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☐ Contract
- ☐ Garnishment
- ☒ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☐ Real Property
- ☐ Restraining Petition
- ☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
- ☐ Dissolution/Divorce/Separate Maintenance
- ☐ Family Violence Petition
- ☐ Paternity/Legitimation
- ☐ Support – IV-D
- ☐ Support – Private (non-IV-D)
- ☐ Other Domestic Relations

Post-Judgment – Check One Case Type

- ☐ Contempt
 - ☐ Non-payment of child support, medical support, or alimony
- ☐ Modification
- ☐ Other/Administrative

☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

☐ Is an interpreter needed in this case? If so, provide the language(s) required. Language(s) Required

☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,)	
)	
Plaintiff,	)	CIVIL ACTION NO:
	)	STCV20-02362
v.)	_____
)	
CARRABBA'S ITALIAN GRILL, LLC,	)	JURY TRIAL DEMANDED
(FLORIDA),)	
)	
Defendant.)	

CERTIFICATION UNDER RULE 3.2

Pursuant to Rules 3.2 and 3.4 of the Uniform Superior Court Rules and Local Rule _____ of the Eastern Judicial Circuit of Georgia, I hereby certify that no case has heretofore been filed in the State Court of the Eastern Judicial Circuit involving substantially the same parties or substantially the same subject matter or substantially the same factual issues which would require the Petition/Pleading to be specifically assigned to the Judge to whom the original action was or is assigned.

This 16th day of December, 2020.

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
(912) 443-1000
wdegenhart@forthepeople.com

/s/ William J. Degenhart
William J. Degenhart
Georgia Bar No. 384018
Attorney for Plaintiff

Pursuant to Rules 3.2 and 3.4 of the Uniform Superior Court Rules and Local Rule _____ of the Eastern Judicial Circuit of Georgia, I hereby certify that this Petition/Pleading involves substantially the same parties or substantially the same factual issues as in Case No. _____.

_____ v. _____

Filed in the Eastern Judicial Circuit of Georgia which, under Rule 3.2 of the Superior Court Rules require the Petition/Pleading be specifically assigned to the Judge to whom the original action was or is assigned.

William J. Degenhart
Georgia Bar No. 384018

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,)	
)	
Plaintiff,	)	CIVIL ACTION NO:
)	
v.	)	STCV20-02362
)	_____
CARRABBA’S ITALIAN GRILL, LLC,)	
(FLORIDA),	)	JURY TRIAL DEMANDED
)	
Defendant.)	

SUMMONS

TO: Carrabba’s Italian Grill, LLC (Florida)
10408 Abercorn Street
Savannah, Chatham County, Georgia 31419

YOU ARE HEREBY SUMMONED and required to file with the Clerk of said Court and serve upon Plaintiff’s attorney, William Jay Degenhart, Morgan & Morgan, 25 Bull Street, 4th Floor, Savannah, Georgia 31401, **an Answer to the Complaint** which is herewith served upon you **within 30 days after service** of this Summons and Complaint, exclusive of the day of service. If you fail to do so, Judgment by default will be taken against you for the relief demanded in the Complaint.

Also served with the Complaint are Plaintiff’s First Interrogatories to Defendant and Plaintiff’s First Request for Production of Documents to Defendant.

This 16th day of December, 2020.

CLERK OF COURT

/s/ Moneisha Green

DEPUTY CLERK, State Court of Chatham County

**IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA**

TAWNA ALLEMAN,)	
)	
Plaintiff,	)	CIVIL ACTION NO:
)	
v.	)	STCV20-02362
)	_____
CARRABBA’S ITALIAN GRILL, LLC,	)	JURY TRIAL DEMANDED
(FLORIDA),)	
)	
Defendant.)	

COMPLAINT AND DEMAND FOR TRIAL BY JURY

COMES NOW, TAWNA ALLEMAN, Plaintiff, and states her Complaint against Defendant CARRABBA’S ITALIAN GRILL, LLC (FLORIDA), showing to the Court as follows:

PARTIES AND JURISDICTION

1.

Plaintiff Tawna Alleman is a citizen and resident of the State of Georgia.

2.

The incident that is the subject of this cause of action occurred at Defendant Carrabba’s Italian Grill, LLC (Florida)’s restaurant, located at 10408 Abercorn Street, Savannah, Chatham County, Georgia 31419.

3.

Defendant Carrabba’s Italian Grill, LLC (Florida) (hereinafter “Defendant”) is a foreign limited liability company authorized to do business in the State of Georgia, with its principal office located at 2202 North West Shore Boulevard, Tampa, Florida 33607, and is subject to the jurisdiction of this Court.

4.

Defendant may be served by issuing Summons and a second original of this Complaint to its Registered Agent for service, Corporate Creations Network, Inc., 2985 Gordy Parkway, 1st Floor, Marietta, Cobb County, Georgia 30006.

5.

Venue in this action is proper in Chatham County, Georgia.

FACTUAL ALLEGATIONS

6.

Plaintiff realleges and incorporates herein by reference Paragraphs 1 through 5 above as if they were restated verbatim.

7.

At all times relevant to this cause of action, Defendant owned and/or operated the property located at 10408 Abercorn Street, Savannah, Chatham County, Georgia 31419 (hereinafter, the “Premises”), and as such, possessed said property with the intent to occupy and control it, and held it open to the public for the purpose of operating a restaurant.

8.

On or about March 10, 2020, Defendant was in legal possession of the Premises.

9.

On or about March 10, 2020, Defendant was operating a restaurant, Carrabba’s Italian Grill, on the Premises.

10.

On or about March 10, 2020, Plaintiff entered the Premises for the purpose of dining therein.

11.

On or about March 10, 2020, upon entering the Premises for the purpose of dining therein, Plaintiff assumed the legal status of an invitee as the term is defined and codified under Georgia law.

COUNT I

Negligence of Defendant Carrabba's Italian Grill, LLC (Florida)

12.

Plaintiff realleges and incorporates herein by reference Paragraphs 1 through 11 above as if they were restated verbatim.

13.

On or about March 10, 2020, Plaintiff entered the Premises for the purpose of dining therein, thereby assuming the status of an invitee.

14.

On that same date, when Plaintiff entered the Premises to dine, Plaintiff slipped on a liquid substance near the bar area, causing her to fall to the ground.

15.

As a result of the aforementioned fall, Plaintiff suffered serious personal injuries.

16.

Upon information and belief, at all times relevant to this cause of action, Defendant owned and/or managed and/or operated the Premises, and owed a legal duty of reasonable care to invitees to inspect and keep the Premises in a safe condition and to warn Plaintiff of hidden dangers or defects that were not discoverable in the exercise of reasonable care.

17.

At all times relevant to this cause of action, Defendant, by and through their employees

and/or agents, had actual and/or constructive knowledge of the hazardous condition of the liquid substance on the floor of the Premises prior to Plaintiff's fall.

18.

At all times relevant to this cause of action, Plaintiff had no knowledge of the unsafe and dangerous condition of the liquid on the floor of the Premises, and it was not discoverable by Plaintiff in the exercise of reasonable and ordinary care.

19.

At all times relevant to this cause of action, Plaintiff exercised reasonable care for her own safety.

20.

At all times relevant to this cause of action, Defendant breached its duty of reasonable care in one or more of the following manners:

- a) failing to inspect the Premises for dangerous conditions;
- b) failing to warn patrons of a dangerous condition they knew or should have known existed on the Premises; and
- c) failing to repair said dangerous condition (liquid on the floor) of the Premises when they knew or should have known it existed.

21.

As a result of the foregoing, Defendant breached its legal duty to Plaintiff, in violation of O.C.G.A § 51-3-1.

22.

As a direct and proximate result of the aforementioned breaches of duty and negligence by Defendant, Plaintiff slipped on the liquid on the floor of the Premises and fell, suffering

personal injuries, including, but not limited to, injuries to her cervical spine. Additionally, Plaintiff suffered damages including, but not limited to, past medical expenses, future medical expenses, and past, present, and future mental and physical pain and suffering, and lost wages.

23.

By reason of the foregoing, Plaintiff is entitled to recover compensatory damages from Defendant in an amount to be proven at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays and demands as follows:

1. That Process and Summons issue, as provided by law, requiring Defendant to appear and answer Plaintiff's Complaint;
2. That service be had upon Defendant as provided by law;
3. That the Court award and enter a judgment in favor of Plaintiff and against Defendant for compensatory damages in an amount to be proven at trial;
4. That Plaintiff have a trial by a jury as to all issues; and
5. That Plaintiff have such other and further relief as the Court may deem just and proper.

Respectfully submitted, this 16th day of December, 2020.

/s/ William J. Degenhart
William J. Degenhart, Esq.
Georgia Bar No. 384018
Attorney for Plaintiff

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
T: (912) 443-1000
wdegenhart@forthepeople.com

**IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA**

TAWNA ALLEMAN,)	
)	
Plaintiff,	)	CIVIL ACTION NO:
	)	STCV20-02362
v.)	_____
)	
CARRABBA’S ITALIAN GRILL, LLC,	)	JURY TRIAL DEMANDED
(FLORIDA),)	
)	
Defendant.)	

PLAINTIFF’S FIRST INTERROGATORIES TO DEFENDANT

COMES NOW, Plaintiff TAWNA ALLEMAN (hereinafter “Plaintiff”), and serves upon Defendant CARRABBA’S ITALIAN GRILL, LLC (FLORIDA) (hereinafter “Defendant”) Plaintiff’s First Interrogatories, to be answered under oath and within forty-five (45) days from service hereof in accordance with O.C.G.A. § 9-11-33.

These Interrogatories shall be deemed continuing so as to require supplemental answers if you or your attorneys obtain further information between the time the answers are served and the time of trial. Any such supplemental answers are to be filed and served upon counsel for Plaintiff within thirty (30) days from the receipt of such information, but not later than the time of trial.

DEFINITIONS

When used in these Interrogatories, the term “Defendant,” or any synonym thereof, is intended to and shall embrace servants, representatives, private investigators, and others who are in a position of or may have obtained information for or on behalf of Defendant.

As used in these Interrogatories, the following words and phrases have the meanings set forth below.

(1) “You” and “your” means and refers to the Defendant to whom these Interrogatories are directed, and includes your agents, employees, insurance company and their agents and employees, your attorneys, investigators and anyone else acting on your or their behalf.

(2) The term “document” means and includes all correspondence, writings, records, memoranda, drawings, graphs, charts, photographs, motion pictures, videotapes, videodisks, audiotapes or other sound recordings, books, ledgers, financial records, checks, drafts, receipts, forms prescribed by government agencies, computer tapes, computer disks, computer printouts, photocopies, microfilm, microfiche, and any other data, sound, or image compilation or recording from which information regarding the described transactions can be obtained, translated if necessary by respondent through appropriate and necessary devices into reasonably useable and intelligible form.

(3) “Person” includes any individual, corporation, partnership, government, or business entity, and group of persons associated in fact although not a legal entity.

(4) “Identify” means the following:

- (a) When used with respect to individuals, means to state the full name, address, telephone number, place of employment, job title and present whereabouts of such person;
- (b) When used with respect to persons other than individuals, as the term “persons” is identified in (3) above, means to state the full name, address and telephone number of such “person” together with the name, address, telephone number and job title of the employee, agent, servant or representative of such “person” who has knowledge of the particular facts or possession, custody or control of the particular documents of which discovery is sought;

- (c) When used with respect to documents, tangible objects, or other items of real or demonstrative evidence, means to list the items of which discovery is sought, describe them in specific detail (give an exhibit number for each if one has been assigned) and state the name, address and telephone number of the person who presently has possession, custody or control over each item of real or documentary evidence listed; and
- (d) When used with respect to facts, circumstances or information, means to give a concise summary of the nature and substance of the facts, circumstances or information of which discovery is sought.

INTERROGATORIES

1.

Identify the person or persons responding to these Interrogatories and all individuals that have provided assistance to you in responding to Plaintiff's First Interrogatories and Requests for Production of Documents.

2.

If you contend that Plaintiff has brought action against the wrong entity due to a misnomer, please state the complete name of the correct Defendant in this action; and further state whether you will accept service of an amended Summons and Complaint reflecting the information furnished by you in response to this Interrogatory.

3.

With particularity sufficient to satisfy O.C.G.A. § 9-11-26 (b)(2), please identify any policy or policies of liability insurance, including umbrella and/or excess coverage, which would or might inure to the benefit of Plaintiff by providing for payment of a part of, or all of any

judgment rendered in favor of Plaintiff against Defendant or against any other person, firm or corporation which is or may be liable to Plaintiff by reason of the incident described in the Complaint.

4.

Please identify all persons (including employees and other witnesses) who to you or your representatives' knowledge, information or belief:

- (a) Were eyewitnesses to the incident that gives rise to this lawsuit;
- (b) Have relevant knowledge concerning the incident that gives rise to this lawsuit, any issue of liability or the damages in connection with this lawsuit, who were not identified in sub-part (a);
- (c) Arrived at the scene of the occurrence complained of in this action immediately or shortly after its occurrence; and
- (d) Assisted Plaintiff after her fall at your Premises on March 10, 2020.

5.

Please identify all persons who have given written or recorded statements covering the facts and/or circumstances of the incident which is the subject matter of this litigation, and state the name of each person, the name and address of the person or entity taking each statement, the date each statement was taken, and the name and address of each person having possession, custody or control of each statement.

6.

Please identify any photographs, diagrams or other pictorial representations concerning the events and happenings alleged in Plaintiff's Complaint.

7.

Please identify each person (whether your employee or a claims adjuster, etc.) who has made an investigation or study of the subject incident or location at Defendant's Premises.

8.

With particularity sufficient to satisfy O.C.G.A. § 9-11-26 (b)(4), please identify all persons (whether your employees or not) whom you expect to call or may call as an expert witness upon the trial of this matter.

9.

Identify each person employed by Defendant who was working at the subject Carrabba's Italian Grill, located at 10408 Abercorn Street, Savannah, Chatham County, Georgia 31419 (hereinafter "the Premises") on the date of the incident described in the Complaint.

10.

To your information or belief, has there been any surveillance, photographs or videos of *any* party? If so, identify what party was photographed or videoed, and identify all persons who now have or have had custody and/or control of any records, tapes, films or other recording of such surveillance.

11.

Please identify each individual who was responsible for the maintenance and/or inspections of the floors on March 10, 2020 at the Premises. Were these person(s) employees or agents of Defendant? If not, please identify what entity employed them at the time of Plaintiff's fall.

12.

Please identify each individual who was responsible for the maintenance and/or inspections of the bar area on March 10, 2020. Were these person(s) employees or agents of Defendant? If not, please identify what entity employed them at the time of Plaintiff's fall.

13.

State each and every fact upon which you rely for each affirmative defense in your Answer to Plaintiff's Complaint.

14.

Identify any and all persons known to Defendant who have fallen at the Premises at any time from January 1, 2017 to the present day.

15.

In reference to the individual(s) identified in the previous Interrogatory, please state the following:

- (a) The cause of the fall;
- (b) Whether any incident report was prepared;
- (c) The information contained in such incident report;
- (d) The name, addresses, home telephone numbers, present place of employment, work telephone numbers, job titles, and present whereabouts of any and all persons having knowledge regarding said fall.

16.

Please identify any and all changes that have been made to your policies and/or procedures concerning inspection of the floors at the Premises since March 10, 2020.

17.

Do you contend that the injuries complained of in this case were caused by the negligence of any party other than Defendant or Defendant's agents and servants? If your answer is yes, please identify:

- (a) The party whom you contend was guilty of such negligence;
- (b) Every act of negligence which you claim was committed by such party or his agents and servants and which you contend proximately caused or contributed to the injuries complained of in this case;
- (c) Each and every fact and reason upon which you base your contentions; and
- (d) Each and every person who has any knowledge or information concerning each such fact.

18.

Please state whether you, or anyone acting on your behalf, had any knowledge or information, of any nature whatsoever, that any condition existed at the subject Premises which could cause or contribute to the occurrence alleged in Plaintiff's Complaint. If so:

- (a) State the date you acquired such knowledge and/or information;
- (b) State what knowledge and/or information you had;
- (c) Identify the person or persons who made such knowledge and/or information known to you;
- (d) State whether any remedial and/or corrective action was taken based upon such knowledge;
- (e) Identify the person who took any such remedial and/or corrective action, and state the date thereof; and

(f) Identify any documents relating to such condition and/or corrective action.

19.

Please identify any and all other similar incidents or allegations for which any person has complained (either by letter, email, or verbally) of a fall due to liquid substances on the floor involving Defendant and/or its agents at the subject location, occurring from January 1, 2017 through the present day.

20.

Please identify any and all other similar incidents or allegations for which you have prepared an incident report concerning any person who has complained of a fall due to liquid substances on the floor involving Defendant and/or its agents at the subject location, occurring from January 1, 2017 through the present day.

21.

Please identify any and all other similar incidents or allegations for which any person has filed an insurance claim against Defendant and related to falls at The Premises, occurring from January 1, 2017 through the present day.

22.

Please identify any and all other similar incidents or allegations for which a patron or employee has filed a lawsuit against Defendant related to falls at at the Premises, from January 1, 2017 through the present day.

23.

Identify any and all incident reports and/or documentary writings made by you concerning the incident at issue.

24.

Identify all policies and procedures created by you since March 10, 2020, concerning

maintenance and/or inspections of the floors at the Premises.

25.

Please state whether, in compiling your answers to these Interrogatories, you have made a reasonable and diligent effort to identify and provide not only such facts as are within your personal knowledge, but such facts as are also reasonably available to you and/or any person acting on your behalf.

These Interrogatories are served upon you together with Plaintiff's Complaint.

This 16th day of December, 2020.

/s/ William J. Degenhart
William J. Degenhart
Georgia Bar No. 384018
Attorney for Plaintiff

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
T: (912) 443-1000
F: (912) 443-1104
wdegenhart@forthepeople.com

**IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA**

TAWNA ALLEMAN,)	
)	
Plaintiff,	)	CIVIL ACTION NO:
)	
v.	)	STCV20-02362
)	_____
CARRABBA’S ITALIAN GRILL, LLC)	
(FLORIDA),	)	JURY TRIAL DEMANDED
)	
Defendant.)	

**PLAINTIFF’S FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT**

COMES NOW, Plaintiff TAWNA ALLEMAN (hereinafter “Plaintiff”), and hereby requests that Defendant CARRABBA’S ITALIAN GRILL, LLC (FLORIDA) (hereinafter “Defendant” or the “Premises”) produce for inspection and copying the following documents in the possession, custody, or control of Defendant and its representative pursuant to O.C.G.A. § 9-11-34 within forty-five (45) days from the date of service hereof to Plaintiff’s attorney of record, William J. Degenhart, at the Law Firm of Morgan & Morgan, P.A., 25 Bull Street, Suite 400, Savannah, Georgia 31401, or at such other time, date, and location agreed to by counsel for Defendant and the undersigned counsel, and to serve a written response hereto within forty-five (45) days from the date of service hereof.

DEFINITIONS

If a privilege is claimed as to any documents covered by this Request for Production, Plaintiff asks that each document to which privilege is claimed be identified with such particularity and in such a manner that the Court, and not counsel unilaterally, may determine whether the document is indeed entitled to privileged status. As used herein, the terms listed below mean the following:

4.

Each and every insurance agreement, including umbrella and/or excess coverage, under which any person carrying on an insurance business may be liable to you to satisfy part or all of any judgment which may be entered in this action or to indemnify or reimburse you for any payments made to satisfy such judgment.

5.

Each and every document comprising a report made by any person, firm, association or other entity (including insurance adjusters and management at the subject Carrabba's Italian Grill) that has conducted any investigation to determine any of the facts pertaining to any of the issues in this action.

6.

Each and every document comprising a report made by any person you expect to call as an expert witness on the trial of this case.

7.

Each and every document relating to any facts or information about the subject matter of this action furnished by you to any expert you expect to call as an expert witness on the trial of this case.

8.

Each and every document relating to any written or recorded statement inquired about in Interrogatory No. 5 of Plaintiff's First Interrogatories propounded to you.

9.

All statements previously made by Plaintiff concerning the subject matter of this action.

10.

All documents that discuss, review, explain, outline, and/or define Defendant's procedure(s) for reporting, taking and/or filing incident reports, effective March 10, 2020.

11.

All documents that discuss, review, explain, outline, and/or define Defendant's procedure(s) for reporting, taking and/or filing incident reports, effective after March 10, 2020.

12.

The safety policies, manuals, standards, guidelines, handbooks, memos and procedures effective March 10, 2020 for Defendant including, but not limited to, any references to procedures for maintenance and/or inspection of the floors.

13.

The safety policies, manuals, standards, guidelines, handbooks, memos and procedures effective after March 10, 2020 for Defendant including, but not limited to, any references to procedures for maintenance and/or inspection of the floors.

14.

A blank copy of the incident report used by Defendant for documenting and reporting Plaintiff's fall at Carrabba's Italian Grill on March 10, 2020.

15.

A fully legible copy of the incident report completed by you regarding Plaintiff's fall at Carrabba's Italian Grill on March 10, 2020.

16.

Any and all documents that relate to any firings, reprimands, suspensions, punishments, complaints, grievances, allegations, denials of any and all of your employees, or agents, who

allegedly, or actually, failed to properly inspect the floors at the subject Carrabba's Italian Grill from January 1, 2017 through the present day.

17.

Any and all warnings you contend you provided, either verbally or by signage, with respect to the procedure for the proper placement of signs for hazardous conditions at the subject Carrabba's Italian Grill prior to Plaintiff's fall on March 10, 2020.

18.

A copy of all witness and employee statements gathered in conjunction with the incident report completed by you and regarding Plaintiff's fall at the subject Carrabba's Italian Grill on March 10, 2020.

19.

A copy of all performance reviews and employee records of any and all employees that were working on the date of the incident in suit.

20.

Any other documents responsive to your Responses to Plaintiff's First Interrogatories.

This Request for Production of Documents is served upon you together with Plaintiff's Complaint.

This 16th day of December, 2020.

/s/ William J. Degenhart
William J. Degenhart
Georgia Bar No. 384018
Attorney for Plaintiff

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
T: (912) 443-1000
wdegenhart@forthepeople.com

SHERIFF'S ENTRY OF SERVICE COBB COUNTY SHERIFF

Civil Action No. STCV20-02632

Date Filed 12/16/2020

Attorney's Address

William Jav Dedenhart. Esq.

MORGAN & MORGAN.25 BULL ST.. 4TH

SAVANNAH. GA 31401

Name and Address of Party to Served

CARRABBA'S ITALIAN GRILL. LLC (FLOR)

Corporate Creations Network. Inc.. Red. Ad

2985 Gordv Parkwav. 1st Floor

Marietta, GA 30066

Superior Court ☐

State Court ☒

Juvenile Court ☐

Magistrate Court ☐

Probate Court ☐

Georgia, CHATHAM

COUNTY

TAWNA ALLEMAN

Plaintiff

VS.

CARRABBA'S ITALIAN GRILL. LLC (FLOR)

Defendant

Garnishee

SHERIFF'S ENTRY OF SERVICE

PERSONAL

I have this day served the defendant _____ personally with a copy
of the within action and summons.

NOTORIOUS

I have this day served the defendant _____ by leaving a
copy of the action and summons at his most notorious place abode in this County.

Delivered same into hands of _____ described as follows:
age, about _____ years; weight _____ pounds; height _____ feet and _____ inches, domiciled at the residence of
defendant.

CORPORATION

Served the defendant Corporate Creations Network / RA For Carrabbas Italian Grill a corporation

by leaving a copy of the within action and summons with Xiomara Matezuma
In charge of the office and place of doing business of said Corporation in this County.

TACK & MAIL

I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises
designated in said affidavit and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an
envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice
to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

Diligent search made and defendant _____

not to be found in the jurisdiction of this Court.

This 19 day of January, 2021.

DEPUTY

[Signature] 10017

COBB CO SHERIFF'S OFFICE
CIVIL SECTION
JAN 12 PM 2:02

KEEP

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,

Plaintiff,

vs.

CARRABBA'S ITALIAN GRILL, LLC,
(FLORIDA),

Defendant.

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CIVIL ACTION

FILE NO. STCV20-02362

**DEFENDANT CARRABBA'S ITALIAN GRILL, LLC (FLORIDA)'S ANSWER AND
DEFENSES TO PLAINTIFF'S COMPLAINT AND DEMAND FOR TRIAL BY JURY**

COMES NOW CARRABBA'S ITALIAN GRILL, LLC (FLORIDA), Defendant in
the above-styled Civil Action, and files/serves its ANSWER AND DEFENSES TO
PLAINTIFF'S COMPLAINT AND DEMAND FOR TRIAL BY JURY ("Plaintiff's
Complaint"), showing the Court as follows:

FIRST DEFENSE

Plaintiff fails to state a claim upon which relief can be granted.

SECOND DEFENSE

No act or omission by Defendant either proximately caused or contributed to whatever
injury or damage Plaintiff claims to have sustained.

THIRD DEFENSE

Defendant shows that Plaintiff's alleged damages, if any, were the result of acts or
omissions by persons or entities other than Defendant.

FOURTH DEFENSE

Plaintiff, by the exercise of ordinary care, could have avoided the consequences of any
act or failure to act of Defendant.

FIFTH DEFENSE

Defendant shows that Plaintiff's alleged damages, if any, were directly and proximately caused by Plaintiff's own contributory and comparative negligence and failure to exercise ordinary care.

SIXTH DEFENSE

If Defendant was negligent, which Defendant emphatically denies, the negligence of Plaintiff equaled or exceeded that of Defendant.

SEVENTH DEFENSE

Plaintiff failed to specifically state her items of special damages, as required by O.C.G.A. § 9-11-9(g).

NINTH DEFENSE

As discovery has not yet begun, Defendant specifically reserves the right to raise any additional claims or affirmative defenses which may be discovered. Defendant hereby incorporates by reference all affirmative defenses set forth in O.C.G.A. § 9-11-8(c) to the extent applicable. Defenses asserted herein are based upon the initial theories of defense counsel. Defendant further specifically reserves the right to withdraw or add any defenses to conform to the evidence presented at the time of trial.

TENTH DEFENSE

For a next defense, Defendant answers the numbered paragraphs of Plaintiff's Complaint as follows:

PARTIES AND JURISDICTION

1.

Defendant can neither admit nor deny the allegations contained within Paragraph 1 of

Plaintiff's Complaint for want of knowledge or information sufficient to form a belief as to the truth thereof and puts Plaintiff upon strict proof of the same.

2.

Defendant admits the allegations contained in Paragraph 2 of Plaintiff's Complaint.

3.

Defendant admits the allegations contained in Paragraph 3 of Plaintiff's Complaint.

4.

Defendant admits the allegations contained in Paragraph 4 of Plaintiff's Complaint.

5.

Defendant admits the allegations contained in Paragraph 5 of Plaintiff's Complaint.

FACTUAL ALLEGATIONS

6.

Defendant hereby reasserts and incorporates by reference the responses made previously to Paragraphs 1 through 5 of Plaintiff's Complaint as if those responses were set forth herein by reference.

7.

Defendant admits the allegations contained in Paragraph 7 of Plaintiff's Complaint.

8.

Defendant admits the allegations contained in Paragraph 8 of Plaintiff's Complaint.

9.

Defendant admits the allegations contained in Paragraph 9 of Plaintiff's Complaint.

10.

Defendant can neither admit nor deny the allegations contained within Paragraph 10 of

Plaintiff's Complaint for want of knowledge or information sufficient to form a belief as to the truth thereof and puts Plaintiff upon strict proof of the same.

11.

Defendant can neither admit nor deny the allegations contained within Paragraph 11 of Plaintiff's Complaint for want of knowledge or information sufficient to form a belief as to the truth thereof and puts Plaintiff upon strict proof of the same.

COUNT I

Negligence of Defendant Carrabba's Italian Grill, LLC (Florida)

12.

Defendant hereby reasserts and incorporates by reference the responses made previously to Paragraphs 1 through 11 of Plaintiff's Complaint as if those responses were set forth herein by reference.

13.

Defendant can neither admit nor deny the allegations contained within Paragraph 13 of Plaintiff's Complaint for want of knowledge or information sufficient to form a belief as to the truth thereof and puts Plaintiff upon strict proof of the same.

14.

Defendant denies as pled the allegations contained in Paragraph 14 of Plaintiff's Complaint.

15.

Defendant denies as pled the allegations contained in Paragraph 15 of Plaintiff's Complaint.

16.

Defendant denies as pled the allegations contained in Paragraph 16 of Plaintiff's Complaint.

17.

Defendant denies the allegations contained in Paragraph 17 of Plaintiff's Complaint.

18.

Defendant denies as pled the allegations contained in Paragraph 18 of Plaintiff's Complaint.

19.

Defendant denies the allegations contained in Paragraph 19 of Plaintiff's Complaint.

20.

Defendant denies the allegations contained in Paragraph 20 of Plaintiff's Complaint.

21.

Defendant denies the allegations contained in Paragraph 21 of Plaintiff's Complaint.

22.

Defendant denies as pled the allegations contained in Paragraph 22 of Plaintiff's Complaint.

23.

Defendant denies the allegations contained in Paragraph 23 of Plaintiff's Complaint.

24.

Defendant denies that Plaintiff is entitled to the relief requested in the "Wherefore" paragraph of Plaintiff's Complaint.

25.

All remaining allegations contained in Plaintiff's Complaint not specifically admitted or denied herein are denied.

WHEREFORE, having fully answered, Defendant CARRABBA'S ITALIAN GRILL, LLC, (FLORIDA) prays that it be discharged from this action without costs.

A TRIAL BY A JURY OF TWELVE IS DEMANDED

This 11th day of February, 2021.

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**



CRAIG P. TERRETT
Georgia Bar No. 702410
JAMES R. REEVES
Georgia Bar No. 455711
Counsel for Defendant

Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
cterrett@cmlawfirm.com
jreeves@cmlawfirm.com

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,

Plaintiff,

vs.

CARRABBA'S ITALIAN GRILL, LLC,
(FLORIDA),

Defendant.

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CIVIL ACTION

FILE NO. STCV20-02362

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the undersigned has this day electronically filed the within and foregoing **DEFENDANT CARRABBA'S ITALIAN GRILL, LLC (FLORIDA)'S ANSWER AND DEFENSES TO PLAINTIFF'S COMPLAINT AND DEMAND FOR TRIAL BY JURY** with the Clerk of Court using the Odyssey eFileGA system which will automatically send e-mail notification of such filing to the following attorneys of record:

WILLIAM J. DEGENHART, ESQ.
MORGAN & MORGAN
25 Bull Street, Ste. 400
Savannah, GA 31401
wdegenhart@forthepeople.com
Counsel for Plaintiff

This 11th day of February, 2021.

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP



CRAIG P. TERRETT
Georgia Bar No. 702410
JAMES R. REEVES
Georgia Bar No. 455711
Counsel for Defendant

Meridian II, Suite 2000
Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
cterrett@cmlawfirm.com
jreeves@cmlawfirm.com

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,

Plaintiff,

vs.

CARRABBA'S ITALIAN GRILL, LLC,
(FLORIDA),

Defendant.

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CIVIL ACTION

FILE NO. STCV20-02362

**DEFENDANT CARRABBA'S ITALIAN GRILL, LLC (FLORIDA)'S
DEMAND FOR TRIAL BY A JURY OF TWELVE JURORS**

COMES NOW, **DEFENDANT CARRABBA'S ITALIAN GRILL, LLC (FLORIDA)**,
Defendant in the above-styled Civil Action, and file this, its demand for a 12-person jury in this
case pursuant to O.C.G.A. § 15-12-122(a)(2), which states as follows:

In all civil actions in the state courts in which the claim for damages is greater than \$25,000.00, either party may demand in writing prior to the commencement of the trial term that the case be tried by a jury of 12. If such a demand is made, the judge shall follow the procedures for superior courts of sub-section (b) of this Code section.

See also O.C.G.A. § 15-12-123(a)(2) which reads as follows:

In all civil actions in the state courts in which a jury of 12 is demanded, the judge shall follow the procedures for superior courts of sub-section (b) of this Code section.

WHEREFORE, demand is made for trial of this case by a jury of 12 as provided by law.

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,

Plaintiff,

vs.

CARRABBA'S ITALIAN GRILL, LLC,
(FLORIDA),

Defendant.

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CIVIL ACTION

FILE NO. STCV20-02362

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the undersigned has this day electronically filed the within and foregoing **DEFENDANT CARRABBA'S ITALIAN GRILL, LLC (FLORIDA)'S DEMAND FOR TRIAL BY A JURY OF TWELVE JURORS** with the Clerk of Court using the Odyssey eFileGA system which will automatically send e-mail notification of such filing to the following attorneys of record:

WILLIAM J. DEGENHART, ESQ.
MORGAN & MORGAN
25 Bull Street, Ste. 400
Savannah, GA 31401
wdegenhart@forthepeople.com
Counsel for Plaintiff

This 11th day of February, 2021.

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP



CRAIG P. TERRETT
Georgia Bar No. 702410
JAMES R. REEVES
Georgia Bar No. 455711
Counsel for Defendant

Meridian II, Suite 2000
Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
cterrett@cmlawfirm.com
jreeves@cmlawfirm.com

This 1st day of February, 2021.

Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
(404) 881-2630 (Fax)
cterrett@cmlawfirm.com
jreeves@cmlawfirm.com

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**



CRAIG P. TERRETT
Georgia Bar No. 702410
JAMES R. REEVES
Georgia Bar No. 455711
Counsel for Defendant

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,

Plaintiff,

vs.

CARRABBA'S ITALIAN GRILL, LLC,
(FLORIDA),

Defendant.

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CIVIL ACTION

FILE NO. STCV20-02362

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the undersigned has this day electronically filed the within and foregoing **CERTIFICATE OF SERVICE (DEFENDANT CARRABBA'S ITALIAN GRILL, LLC (FLORIDA)'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST INTERROGATORIES)** with the Clerk of Court using the Odyssey eFileGA system which will automatically send e-mail notification of such filing to the following attorneys of record:

WILLIAM J. DEGENHART, ESQ.
MORGAN & MORGAN
25 Bull Street, Ste. 400
Savannah, GA 31401
wdegenhart@forthepeople.com
Counsel for Plaintiff

This 5th day of March, 2021.

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP



CRAIG P. TERRETT
Georgia Bar No. 702410
JAMES R. REEVES
Georgia Bar No. 455711
Counsel for Defendant

Meridian II, Suite 2000
Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
cterrett@cmlawfirm.com
jreeves@cmlawfirm.com

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,

Plaintiff,

vs.

CARRABBA'S ITALIAN GRILL, LLC,
(FLORIDA),

Defendant.

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CIVIL ACTION

FILE NO. STCV20-02362


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the undersigned has this day electronically filed the within and foregoing **CERTIFICATE OF SERVICE (DEFENDANT CARRABBA'S ITALIAN GRILL, LLC (FLORIDA)'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS)** with the Clerk of Court using the Odyssey eFileGA system which will automatically send e-mail notification of such filing to the following attorneys of record:

WILLIAM J. DEGENHART, ESQ.
MORGAN & MORGAN
25 Bull Street, Ste. 400
Savannah, GA 31401
wdegenhart@forthepeople.com
Counsel for Plaintiff

This 5th day of March, 2021.

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP


CRAIG P. TERRETT
Georgia Bar No. 702410
JAMES R. REEVES
Georgia Bar No. 455711
Counsel for Defendant

Meridian II, Suite 2000
Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
cterrett@cmlawfirm.com
jreeves@cmlawfirm.com

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	CIVIL ACTION
	§	
CARRABBA'S ITALIAN GRILL, LLC,	§	FILE NO. STCV20-02362
(FLORIDA),	§	
	§	
Defendant.	§	

**DEFENDANT CARRABBA'S ITALIAN GRILL, LLC (FLORIDA)'S NOTICE OF
FILING NOTICE OF REMOVAL**

TO: WILLIAM J. DEGENHART, ESQ.
MORGAN & MORGAN
25 Bull Street, Ste. 400
Savannah, GA 31401

Pursuant to 28 U.S.C. § 1446(d), you are hereby notified that Defendant Carrabba's Italian Grill, LLC (Florida) has filed a Notice of Removal of the above-styled action to the United States District Court for the Southern District of Georgia, Savannah Division, a copy of which is attached hereto and by reference made a part hereof.

This 10th day of March, 2021.

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP

CRAIG P. TERRETT
Georgia Bar No. 702410
JAMES R. REEVES
Georgia Bar No. 455711
Counsel for Defendant

Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
cterrett@cmlawfirm.com
jreeves@cmlawfirm.com

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	CIVIL ACTION
	§	
CARRABBA'S ITALIAN GRILL, LLC,	§	FILE NO. STCV20-02362
(FLORIDA),	§	
	§	
Defendant.	§	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the undersigned has this day electronically filed the within and foregoing **DEFENDANT CARRABBA'S ITALIAN GRILL, LLC (FLORIDA)'S NOTICE OF FILING NOTICE OF REMOVAL** with the Clerk of Court using the Odyssey eFileGA system which will automatically send e-mail notification of such filing to the following attorneys of record:

WILLIAM J. DEGENHART, ESQ.
MORGAN & MORGAN
25 Bull Street, Ste. 400
Savannah, GA 31401
wdegenhart@forthepeople.com
Counsel for Plaintiff

This 10th day of March, 2021.

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP

CRAIG P. TERRETT
Georgia Bar No. 702410
JAMES R. REEVES
Georgia Bar No. 455711
Counsel for Defendant

Meridian II, Suite 2000
Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
cterrett@cmlawfirm.com
jreeves@cmlawfirm.com

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

TAWNA ALLEMAN,)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO: STCV20-02362
)
 CARRABBA'S ITALIAN GRILL, LLC,)
 (FLORIDA),)
)
 Defendant.)

OFFER OF SETTLEMENT PURSUANT TO O.C.G.A. § 9-11-68

Plaintiff Tawna Alleman makes the following Offer of Settlement to Carrabba's Italian Grill, LLC, (Florida), pursuant to O.C.G.A. § 9-11-68:

1. Tawna Alleman will accept the amount of \$1,000,000.00 to settle the above-captioned lawsuit;
2. In exchange for this settlement payment, Tawna Alleman will dismiss the above-captioned lawsuit, with prejudice, and will execute a full and final release in favor of Defendant;
3. No portion (\$0.00) of the above-referenced settlement will be paid for punitive damages; and
4. Each party will be responsible for their own attorneys' fees and litigation expenses.

The offer shall remain open for 30 days, pursuant to O.C.G.A. § 9-11-68(c).

This 23rd day of February, 2021.

/s/ William J. Degenhart
William J. Degenhart
Georgia Bar No. 384018
Attorney for Plaintiff

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
T: (912) 443-1000
wdegenhart@forthepeople.com

CERTIFICATE OF SERVICE

This is to certify that on this date I have served a true and correct copy of the foregoing *Plaintiff's Offer of Settlement Pursuant to O.C.G.A. § 9-11-68* on Defendant through their counsel of record via statutory electronic service and Certified Mail, Return Receipt Requested, and addressed to:

Craig P. Terrett
James R. Reeves
CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP
Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
cterrett@cmlawfirm.com
ireeves@cmlawfirm.com
Attorneys for Defendants

This 23rd day of February, 2021.

/s/ William J. Degenhart
William J. Degenhart
Georgia Bar No. 384018
Attorney for Plaintiff

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
T: (912) 443-1000
wdegenhart@forthepeople.com